

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Curtis S. Anderson
Debtor(s)

Bankruptcy Case No.: 18-24721-GLT
Issued Per 7/22/2021 Proceeding
Chapter: 13
Docket No.: 64 – 56, 61
Concil. Conf.: July 22, 2021 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 24, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$4,194.00 as of August, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jul. 22, 2021 at 09:00 AM, in Zoom location, <https://www.zoomgov.com/j/>.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The Trustee will make no further payments to N. Allegheny SD Claim No. 1 as creditor has stated nothing further owed.

The Trustee's Certificate of Default to Dismiss [Dkt. No. 56] is Withdrawn.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: July 23, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Curtis S. Anderson
Debtor

Case No. 18-24721-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jul 23, 2021

User: dbas
Form ID: 149

Page 1 of 2
Total Noticed: 20

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 25, 2021:

Recip ID	Recipient Name and Address
db	+ Curtis S. Anderson, 16 Commons Drive, Bradfordwoods, PA 15015-1304
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14992782	+ BSI Financial Services, 1425 Greenway Drive, #400, Irving, TX 75038-2480
14961654	+ Candra J Anderson, 16 Commons Drive, Bradfordwoods, PA 15015-1304
14988031	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14961656	+ Jordan Tax Service, Inc., 102 Rahway Road, McMurray, PA 15317-3349
14961658	+ MBM Collections, LLC, Foxpointe II, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
14961660	+ North Allegheny School District, c/o Jordan Tax Service, 102 Rahway Road, McMurray, PA 15317-3349
14969333	+ North Allegheny School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
14961661	+ Ocwen Loan Servicing Llc, Attn: Research Dept, 1661 Worthington Rd Ste 100, West Palm Beach, FL 33409-6493
14961662	State Farm Bank, c/o BSI Financial Services, 14 S Franklin Street 2nd Floor, Titusville, PA 16354
14961663	+ Stern & Eisenberg, Edward McKee, Esquire, 1581 Main St., Ste. 200, Warrington, PA 18976-3403

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14971820	Email/PDF: resurgentbknofications@resurgent.com	Jul 23 2021 23:15:16	CACH, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14961655	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Jul 23 2021 23:00:00	Department of the Treasury, Internal Revenue Service, P.O. Box 9013 Stop 650, Holtsville, NY 11742-9013
14961657	+ Email/Text: PBNCNotifications@peritusservices.com	Jul 23 2021 23:00:00	Kohls/Capital One, Kohls Credit, Po Box 3120, Milwaukee, WI 53201-3120
14992208	Email/PDF: MerrickBKNotifications@Resurgent.com	Jul 23 2021 23:05:00	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
14961659	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Jul 23 2021 23:04:55	Merrick Bank/CardWorks, Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
14962046	+ Email/PDF: rmscedi@recoverycorp.com	Jul 23 2021 23:05:00	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14992043	+ Email/PDF: gecsed@recoverycorp.com	Jul 23 2021 23:04:52	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
14961664	+ Email/PDF: gecsed@recoverycorp.com	Jul 23 2021 23:04:56	Synchrony Bank/Walmart, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 8

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
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District/off: 0315-2

User: dbas

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Date Rcvd: Jul 23, 2021

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Total Noticed: 20

cr		BSI Financial Services Inc. as servicer for Macqua
cr	*+	North Allegheny School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 1 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 25, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 23, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor BSI Financial Services Inc. as servicer for Macquarie Mortgages USA Inc. bnicholas@kmlawgroup.com
David Z. Valencik	on behalf of Debtor Curtis S. Anderson dvalencik@c-vlaw.com cylaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com; mpeduto@c-vlaw.com; rfeil@c-vlaw.com; eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Debtor Curtis S. Anderson dcalaiaro@c-vlaw.com cylaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com; mpeduto@c-vlaw.com; rfeil@c-vlaw.com; eratti@c-vlaw.com
Jennifer L. Cerce	on behalf of Creditor North Allegheny School District jlc@mbm-law.net
Mark B. Peduto	on behalf of Debtor Curtis S. Anderson mpeduto@c-vlaw.com jadam@c-vlaw.com; ssimmons@c-vlaw.com; kmosur@c-vlaw.com; apratt@c-vlaw.com; rfeil@c-vlaw.com; eratti@c-vlaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 8